REMARKS

Claims 1 and 4-6 are pending and under consideration in the above-identified application. Claims 2, 3 and 7 have been previously cancelled.

In the Final Office Action dated December 7, 2010, the Examiner rejected claims 1, 4 and 6.

With this Amendment, claims 1 and 5 were amended for clarification purposes only. No new matter has been added as a result of the Amendment.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1 and 5-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Oesten et al. (US 2001/0046628 A1) in view of Kawai et al. (U.S. Publication No. 2003 0152839) and Spitler et al. (US 2004/0197657).

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Oesten et al., Kawai et al., and Spitler et al. in view of Naruoka et al. (U.S. Patent No. 6,893,766).

Applicants respectfully traverse each of the above listed rejections.

Claims 1 and 5 require a coating layer that is adhered to the outer surface of an inner particle. The coating layer is a homogeneous lithium-titanium compound that is selected from the group of $Li_4Ti_5O_{12}$, Li_2TiO_3, $Li_2Ti_3O_7$ and $Li_4Ti_{4.90}Mn_{0.10}O_{12}$. Specification, pages 4-5. The coating, therefore, is made of one of the following compounds: $Li_4Ti_5O_{12}$, Li_2TiO_3, $Li_2Ti_3O_7$ and $Li_4Ti_{4.90}Mn_{0.10}O_{12}$, and does not contain additional compounds so as to form a mixture. Indeed, the claim language specifically states that the coating layer is, rather than the coating layer comprises.

The Examiner argues that "the particle coating of, for example, titanium oxide as taught by Oesten et al. corresponds to the outer coating, an oxide of lithium and titanium of the instant application." Office Action, page 3. Applicant, however, disagrees.

Oesten et al. states that, "the invention provides …particles which are coated with alkali metal compounds and metal oxides." Oesten et al. [0024]. The coating of Oesten et al., however, is a mixture of compounds and oxides. As such, Oesten et al. teaches a coating that is made up of more than one type of compound, and not a coating that is made up of only one type of compound as required by the claims. *Id.* at [0037]. As such, the titanium oxide particle coating as taught by Oesten et al. does not correspond to the outer coating embodied by the claims because the invention of Oesten et al. is a two-part mixture coating. In contrast, the coating required by the claims "is a second compound oxide selected from the group consisting of $Li_4Ti_5O_{12}$, Li_2TiO_3, $Li_2Ti_3O_7$ and $Li_4Ti_{4.90}Mn_{0.10}O_{12}$." (emphasis added). Moreover, because the object of the invention in Oesten et al. is a two-part mixture coating, Oesten et al. teaches away from a compound coating made of one compound as required by the claims.

Thus, taken singularly or in combination with each other, the above cited references fail to either teach or even fairly suggest the required elements of independent claims 1 and 5. As such, claims 1 and 5 are patentable over the cited references, as are dependent claims 4 and 6 for at least the same reasons. Accordingly, Applicant respectfully requests the above rejections be withdrawn.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: February 7, 2011

By: /Anne K.W. Sutton/

Anne K.W. Sutton
Registration No. 59,592
SNR Denton US LLP
P.O. Box 061080
Wacker Drive Station, Willis Tower
Chicago, Illinois 60606-1080
(312) 876-8000